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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/621,424	07/16/2003	Richard W. McCracken	D-1223R	1747
28995	7590	08/17/2004	EXAMINER	
RALPH E. JOCKE 231 SOUTH BROADWAY MEDINA, OH 44256			BARRETT, SUZANNE LALE DINO	
			ART UNIT	PAPER NUMBER
			3676	
DATE MAILED: 08/17/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/621,424

Applicant(s)

MCCRACKEN ET AL.

Examiner

Suzanne Dino Barrett

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RW

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 June 2004.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31, 33 and 34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-29 is/are allowed.
- 6) ☒ Claim(s) 30, 31, 33, 34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dunlap et al 6,089,168 in view of Roth 1,615,851.

Dunlap et al teach all of the structure of the claimed invention including the sleeve bushing for the handle 124 shown in Figure 14, the retainer nut and pin/bolt for the links 134,138,140 connected to the lock bolt 104 and the drive cam 122 and idler cam 120. The drive cam further has a cutout 146 for the lock bolt. Roth teaches a handle (B) and sleeve/bushing (C) both having non-tapered and tapered portions (d). It would have been obvious to modify the handle 124 bushing (Fig. 14) of Dunlap by providing a tapered bushing and handle as taught by Roth as an enhanced assembly.

3. Claims 31,33,34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roth 1,615,851 in view of Heyl et al 3,426,707.

Roth teaches a handle (B) and sleeve/bushing (C) both having non-tapered and tapered portions (d). Heyl et al teach a handle and bushing 87

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which is mounted with a ledge portion to extend to the opposite side of the door from the handle. Roth teaches the tapered bushing and handle shaft. It would have been obvious to modify the bushing of Roth to extend to the opposite side of the door in assembly as taught by Heyl et al as an obvious matter of design choice in enhancing the assembly of parts.

Allowable Subject Matter

4. Claims 1-29 allowed.

Applicant's amendment and arguments regarding the "first bolt link" disposition, between the drive cam and the lock bolt, define over the prior art of record.

Response to Arguments

5. Applicant's arguments filed 6/8/04 have been fully considered but they are not persuasive. While Applicant's amendment to claim 1 and the accompanying arguments clearly define over the Dunlap drive cam and lock bolt configuration, claim 30 has not been so amended, therefore, the original rejection in view of Dunlap and Roth still stands. The Dunlap drive cam is deemed to be "adjacent" the lock bolt (as set forth in claim 30) as clearly shown in Fig. 16,17.

Furthermore, regarding the arguments against Roth, the taper is clearly shown in Fig. 3 and indicated by the reference letter (d). And as previously set forth with respect to claim 32, the Heyl reference clearly teaches the disposition of a handle

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shaft sleeve on the opposite side of the door from the handle. Accordingly, claims 30,31,33,34 stand finally rejected under 35 USC 103.

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Suzanne Dino Barrett whose telephone number is 703-308-0825. The examiner can normally be reached on M-Th 8:30-7:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Will can be reached on 703-308-3870. The fax

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phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Suzanne Dino Barrett
Primary Examiner
Art Unit 3676

sdb